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RESOLUTION 1196 (1998)

Adopted by the Security Council at its 3927th meeting,
on 16 September 1998

The Security Council,

Reaffirming its resolution 1170 (1998) of 28 May 1998,

Recalling the statement of its President made on 25 September 1997 (S/PRST/1997/46) at the meeting of the Council at the level of Foreign Ministers on the situation in Africa,

Having considered the recommendations contained in the report of the Secretary-General of 13 April 1998 on "The causes of conflict and the promotion of durable peace and sustainable development in Africa", which was submitted to the General Assembly (A/52/871) and to the Security Council (S/1998/318) in accordance with the above-mentioned statement, regarding the importance of strengthening the effectiveness of arms embargoes as a means to diminish the availability of arms with which to pursue armed conflicts,

Stressing the principles of the political independence, sovereignty and territorial integrity of all States,

Mindful of the Cairo Declaration of 1993 (A/48/322, annex II), which stipulated that the Organization of African Unity (OAU) Mechanism for Conflict Prevention, Management and Resolution would have as a primary objective the anticipation and prevention of conflicts,

Reaffirming the obligations of all Member States to settle their international disputes by peaceful means and stressing the primary responsibility of the Security Council for the maintenance of international peace and security in accordance with the Charter of the United Nations,

Recognizing that the International Commission of Inquiry established by its resolution 1013 (1995) of 7 September 1995 and reactivated in accordance with its resolution 1161 (1998) of 9 April 1998 is an example of a useful means for strengthening the effectiveness of an arms embargo established by the Council,

1. Reiterates the obligation of all Member States to carry out decisions of the Council on arms embargoes;

2. Encourages each Member State, as appropriate, to consider as a means of implementing the obligations referred to in paragraph 1 above the adoption of legislation or other legal measures making the violation of arms embargoes established by the Council a criminal offence;

3. Requests the Security Council Committees established by resolutions imposing arms embargoes in Africa to include in their annual reports a substantive section on the implementation of the arms embargoes, on possible violations of the measures reported to the Committee and with recommendations as appropriate for strengthening the effectiveness of the arms embargoes;

4. Encourages the Chairmen of the Committees referred to in paragraph 3 above to seek to establish channels of communication with regional and subregional organizations and bodies, including in Africa the OAU Mechanism for Conflict Prevention, Management and Resolution, the Economic Community of West African States (ECOWAS), the United Nations Standing Advisory Committee on Security Questions in Central Africa (SACSQ), the Southern African Development Community (SADC) and the Intergovernmental Authority on Development (IGAD), in addition to other sources of information, including Member States, already mentioned in the guidelines of the Committees, in order to improve the monitoring of arms embargoes through wider and regular exchange of information with relevant parties in the region concerned;

5. Reiterates its request that all States, relevant United Nations bodies, and, as appropriate, other organizations and interested parties report information on possible violations of arms embargoes established by the Council to the relevant Security Council Committees referred to in paragraph 3 above;

6. Requests the Committees referred to in paragraph 3 above to make relevant information publicly available through appropriate media, including through the improved use of information technology;

7. Welcomes the initiative of the Chairmen of the Committees established pursuant to resolution 864 (1993) of 15 September 1993 and resolution 1132 (1997) of 8 October 1997 concerning the situations in Angola and Sierra Leone, respectively, to visit countries in the region and invites other Committees to consider this approach, where and when appropriate, in order to enhance the full and effective implementation of the measures specified in their respective mandates with a view to urging the parties to comply with relevant Council resolutions;

8. Expresses its willingness to consider, whenever it establishes arms embargoes, all appropriate measures to assist their effective implementation, and notes, in this context, that measures such as inquiries into arms trafficking routes, the follow-up of possible specific violations and the deployment of border or point of entry monitors may be relevant, in consultation with the countries concerned;

9. Urges Member States, relevant United Nations bodies and agencies and other international agencies to consider the provision of technical and other assistance, in consultation with the States concerned, to facilitate the implementation of arms embargoes;

10. Stresses that arms embargoes established by the Council should have clearly established objectives and provisions for regular review of the measures with a view to lifting them when the objectives are met, in accordance with the terms of the applicable Security Council resolutions;

11. Requests all Security Council Committees established by resolutions imposing arms embargoes to consider, as appropriate, the application of the measures contained in this resolution;

12. Decides to remain seized of the matter.